

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Request for Review of the	)	
Decision of the	)	
Universal Service Administrator by	)	
	)	
Goose Creek Consolidated Independent	)	File Nos. SLD- 316961, 321149
School District	)	
Bayton, Texas	)	
	)	
Federal-State Joint Board on	)	CC Docket No. 96-45
Universal Service	)	
	)	
Changes to the Board of Directors of the	)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.	)	

**ORDER**

**Adopted: October 24, 2002**

**Released: October 25, 2002**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. The Telecommunications Access Policy Division has under consideration two Requests for Review filed by Goose Creek Consolidated Independent School District (Goose Creek), Bayton, Texas.<sup>1</sup> At the same time that Goose Creek filed its request with the Commission, it filed requests for review with the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>2</sup> For the reasons set forth below, we dismiss Goose Creek's Requests for Review to the Commission without prejudice.

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<sup>1</sup> Letter from Pete Cote, Goose Creek Consolidated Independent School District (SLD Application No. 316961), to Federal Communications Commission, filed July 3, 2002; Letter from Pete Cote, Goose Creek Consolidated Independent School District (SLD Application No. 321149), to Federal Communications Commission, filed July 3, 2002 (collectively, Requests for Review).

<sup>2</sup> Letter from Pete Cote, Goose Creek Consolidated Independent School District (SLD Application No. 316961), to Schools and Libraries Division, Universal Service Administrative Company, filed July 18, 2002 (Request for Administrator Review); Letter from Pete Cote, Goose Creek Consolidated Independent School District (SLD Application No. 321149), to Schools and Libraries Division, Universal Service Administrative Company, filed July 18, 2002.

2. The Commission's rules regarding appeals of SLD decisions do not contemplate simultaneous requests to the Commission and the Administrator.<sup>3</sup> In this case, because Goose Creek has requests pending before the Administrator, we dismiss Goose Creek's Requests for Review to the Commission without prejudice. Once the Administrator has issued its decision on Goose Creek's initial requests, Goose Creek may then appeal to the Commission if it believes such appeal is warranted at that time.<sup>4</sup>

3. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed by Goose Creek Consolidated Independent School District, Bayton, Texas, on July 3, 2002 in connection with SLD Application No. 316961, IS DISMISSED WITHOUT PREJUDICE.

4. IT IS FURTHER ORDERED that the Request for Review filed by Goose Creek Consolidated Independent School District, Bayton, Texas, on July 3, 2002 in connection with SLD Application No. 321149, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert  
Deputy Chief, Telecommunications Access Policy Division  
Wireline Competition Bureau

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<sup>3</sup> 47 C.F.R. § 54.720 (allowing appeals to either the Commission or the Administrator, but tolling the filing period with the Commission, when an applicant has an appeal pending with the Administrator, until the Administrator issues a decision on the appeal).

<sup>4</sup> See 47 C.F.R. §§ 54.719 – 54.725 (setting forth rights of review, filing deadlines, standards of review, and other rules pertaining to Commission review of the Administrator's decisions).